

REMARKS

A Notice of Allowance and Notice of Allowability were mailed on December 30, 2009, including an Examiner's Amendment to claims 2, 4, 6-8, 15, 21, 25, 26, 29, 30, 39, and 40. The Applicant submits this Amendment after Allowance to amend claims 15, 21, 29, and 30 in response to the Examiner's Amendment.

It is respectfully requested that the amendment be entered under 37 C.F.R. § 1.312. Pursuant to the discussion in M.P.E.P. § 714.16, the amendment is an editorial revision of the claims and does not affect the scope of the claims. The amendment is needed for proper recitation of the invention. Further, because the amendment is editorial, no additional search or examination is required. The claims remain patentable for the same reasons the application was previously allowed. The amendment was not presented earlier because the claim amendments were necessitated by the Examiner's Amendment accompanying the Notice of Allowance and Notice of Allowability.

In a voicemail left for Applicant's representative, Steven J. Schwarz, on March 20, 2009, Examiner Felten indicated that the amendments to claims 15, 21, 29, and 30 presented herein would be entered under 37 C.F.R. § 1.312, and that the application would be passed to issuance. Therefore, it is respectfully requested that the amendments be entered and that the application be passed to issuance.

Applicants: Joseph P. HEALY et al.
Appl. No.: 09/393,024

Respectfully submitted,

Date: March 30, 2009

/Steven J. Schwarz/
Michael A. Sartori, Ph.D.
Registration No. 41,289
Steven J. Schwarz
Registration No. 47,070
VENABLE LLP
P.O. Box 34385
Washington, DC 20043-9998
Telephone: (202) 344-4000
Direct Dial: (202) 344-4295
Telefax: (202) 344-8300

#1023569